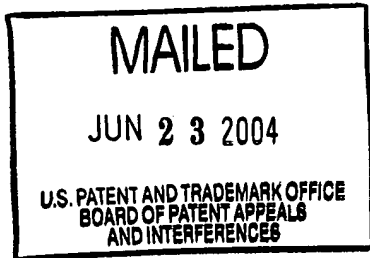


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YOUNG SANG BAEK,
YU SOONG KIM, JIN KIM, and KYONG SEOK KIM

Application 09/137,842

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 21, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below.

An examination of the file reveals that an Information Disclosure Statement (IDS) was filed July 2, 2003 (Paper No. 26). It is not apparent from the record whether the examiner considered the statement submitted or notified appellants of why their submission did not meet the criteria set forth in 37 CFR

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SS 1.97 and 1.98. A communication notifying appellants of the Primary Examiner's decision is required.

In addition, section 707.08 of the MPEP states:

The full surname of the examiner who prepares the Office action will, in all cases, be typed at the end of the action. . . .

After the action is typed, the examiner who prepared the action reviews it for correctness. The surname or initials of the examiner who prepared the action and the date on which the action was typed should appear below the action. If the examiner does not have the authority to sign the action, he or she should initial above the typed name or initials. . . .

The Examiner's Answer mailed February 18, 2004 (Paper No. 29) is deficient because there is no signature or initials for Duc Q Dinh. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1. for consideration of the IDS filed July 2, 2003 (Paper No. 26);
2. for taking corrective action regarding the signature for Duc Q Dinh appearing in the Examiner's Answer mailed February 18, 2003 (Paper No. 29);

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3. for written notification to appellants regarding
the action taken; and

4. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

DALE SHAW

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DS/psb/meh
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